

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE**

Frank Staples, et al., *
*
Plaintiff, *
v. * Civil No. 1:24-cv-00331-LM-TSM
*
Christopher Sununu, Governor, et al., *
*
Defendants. *

**PARTIAL OBJECTION TO PLAINTIFFS’
MOTION FOR EXTENSION OF TIME (ECF DOC. NO 28)**

The New Hampshire Governor and the New Hampshire Attorney General submit the above-captioned pleading, stating in support thereof as follows:

1. Plaintiffs submitted a “Motion for Extension of Time to Amend Complaint and Respond to Motion to Dismiss” on or around March 3, 2025. ECF No. 28.
2. Said Motion for Extension seeks an extension of Plaintiffs’ deadlines to respond to Defendants’ Motion to Dismiss, and an extension of Plaintiffs’ deadline to seek to amend their Complaint. *See* ECF Doc. No. 28 at 4.
3. Defendants (who were not contacted prior to the filing of the above) do not object to such an extension.
4. However, to the extent that said Motion asks this Court to enter a finding regarding Plaintiff Frank Staples’ need for an accommodation under the ADA, Defendants object.
5. Because such a determination is unnecessary to the Court’s granting of an extension, and because Defendants do not object to the requested extension, Defendants request that it decline to reach the issue of Plaintiff’s ADA request at this time. *See* Fed. R. Civ. P.

6(b)(1)(A)(stating that “the court may, for good cause, extend the time [of a deadline] ... with or without motion or notice if the court acts, or if a request is made, before the original time or its extension expires[.]”); *and see McIntosh v. Antonino*, 71 F.3d 29, 38 (1st Cir. 1995) (holding that “administration of filing deadlines is a matter of case management that comes within the district court’s discretion.”))

6. Plaintiff will not be prejudiced by such a limited ruling, as there is no evidence that Plaintiff seeks an ongoing accommodation applicable to future deadlines.

WHEREFORE, Defendants respectfully requests that this Honorable Court:

- A. Note the within Partial Objection;
- B. Limit its ruling on Plaintiffs’ Motion to Extend as set forth herein; and
- C. Grant such other and further relief as the Court deems just and proper.

Respectfully submitted,

Governor Chris Sununu, and
Attorney General John Formella

By their attorney,

THE OFFICE OF THE ATTORNEY GENERAL

Dated: March 17, 2025

/s/ Shawna Bentley

Shawna Bentley, Bar #270149

Attorney

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was sent this day by first class mail to each of the plaintiffs at the address listed in the CM/ECF docket.

/s/ Shawna Bentley

Shawna Bentley